



U.S. Department
of Transportation

**Pipeline and
Hazardous
Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 20 2005

DOT-E 3549
(FOURTEENTH REVISION)

EXPIRATION DATE: June 30, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Energy (DOE)
National Nuclear Security Administration
Albuquerque, NM

(See Appendix A to this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of not more than 250 grams (0.55 pounds) of certain "forbidden" dry explosive materials classed as Division 1.1 explosives in the special packaging prescribed herein. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

- b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.101 and 173.54(j) in that the explosive substances covered in this exemption, when shipped without a wetting or desensitizing agent, are "forbidden", except as specified herein; §§ 173.56(b) and 173.57(a) in that the explosive substances covered in this exemption are required to be approved and tested in accordance with the UN explosive tests to determine if these substances are "forbidden", except as specified herein.

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5. BASIS: This exemption is based on the application of DOE dated June 21, 2005, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Substances, explosive, n.o.s. (Cyclotetramethylene tetranitramine-dry)	1.1D	UN0475	II
Substances, explosive, n.o.s. (Cyclotrimethylenetrinitramine-dry)	1.1D	UN0475	II
Substances, explosive, n.o.s. (Pentaerythrite tetranitrate-dry)	1.1A	UN0473	II

7. SAFETY CONTROL MEASURES:

The following packaging method is assigned:

Inner Packaging: Bags, static-shielding plastic, not less than 0.004 inches thick, double-sealed with a metal strip tie and waterproof plastic tape, each containing not more than 250 grams (0.55 pounds) of "forbidden" dry explosive substance. A desiccant container and a moisture indicator may be included inside the bag with the dry explosive substance.

1st Intermediate Packaging: Bag, plastic not less than 0.0085 inches thick, sealed with a metal strip tie and waterproof plastic tape; or container, plastic, not less than 0.033 inches thick with a threaded plastic cap sealed with waterproof plastic tape, each containing one inner packaging.

2nd Intermediate Packaging: Drum, coated or plastic-lined steel with sealing lid, each containing one "1st intermediate packaging" with the void space in the drum filled with water or a non-freezing water-alcohol mixture so that the drum is not completely liquid full at a temperature of 55 degrees Centigrade (131 degrees Fahrenheit) or less.

3rd Intermediate Packaging: Drum, steel with sealing lid, each containing one "2nd intermediate packaging" which is sufficiently cushioned with foamed plastic padding or sheeting to prevent movement during transport.

Outer Packaging: Specification 4D plywood box, each containing one "3rd intermediate packaging" and sufficiently cushioned with non-combustible cushioning material to prevent movement during transport.

8. SPECIAL PROVISIONS:

- a. This exemption is only authorized for US Government purposes.
- b. The outer packaging must be legibly and durably marked with the exemption number, "DOT-E 3549".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and Department of Energy contract cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle and Department of Energy contract cargo aircraft only. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of the exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.

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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUL 20 2005

DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

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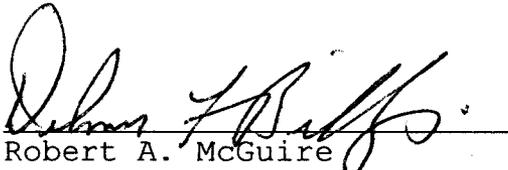
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
BWXT Pantex, LLC Amarillo, TX	Jun 27, 2005	JUL 2 0 2005	Jun 30, 2007
Los Alamos National Laboratory Los Alamos, NM	Jun 29, 2005	JUL 2 0 2005	Jun 30, 2007



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Associate Administrator for
Hazardous Materials Safety